

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Bernard F. Murphy
Jodi M. Murphy
fka Jodi M. Toy
Debtor(s)

Bankruptcy Case No.: 17-23771-JAD
Issued Per June 14, 2018 Proceeding
Chapter: 13
Docket No.: 34 - 2, 33
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 9, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: LoanDepot.com, LLC at Claim No. 26 .
- ☒ H. Additional Terms: The claim of U.S. Bank/Greyclakes shall be paid in full per plan as no claim was filed.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: June 20, 2018

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Bernard F. Murphy
 Jodi M. Murphy
 Debtors

Case No. 17-23771-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 55

Date Rcvd: Jun 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 22, 2018.

db/jdb
 cr
 +Bernard F. Murphy, Jodi M. Murphy, 123 Burton Drive, Kittanning, PA 16201-3601
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14696072 +AES/PNC Bank, P.O. Box 61047, Harrisburg, PA 17106-1047
 14696074 +Barclays Bank Delaware, P.O. Box 8803, Wilmington, DE 19899-8803
 14728922 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14696076 Chase, P.O. Box 15298, Wilmington, DE 19850-5298
 14696077 +Citicards/Citibank, P.O. Box 6241, Sioux Falls, SD 57117-6241
 14698598 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3026
 14696079 +Client Services, Inc., 3451 Harry S. Truman Blvd., Saint Charles, MO 63301-9816
 14696080 +Comenity Bank/Victoria Secret, P.O. Box 182789, Columbus, OH 43218-2789
 14696081 +Comenity Capital/Petland, P.O. Box 182120, Columbus, OH 43218-2120
 14696082 +Comenity/Trwrds, P.O. Box 182789, Columbus, OH 43218-2789
 14740693 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 14696084 +GC Services LP, P.O. Box 1389, Copperas Cove, TX 76522-5389
 14696091 +Loan Depot, 26642 Towne Centre Drive, Foothill Ranch, CA 92610-2808
 14760828 +LoanDepot.com, LLC, c/o Cenlar FSB, 425 Phillips Boulevard, Ewing, NJ 08618-1430
 14696092 +Lumber Liquidators/Synch Bank, P.O. Box 960061, Orlando, FL 32896-0061
 14696093 +Macy's, P.O. Box 8218, Mason, OH 45040-8218
 14696094 Macy's Visa, P.O. Box 8218, Mason, OH 45040-8218
 14696095 +Mohela/Dept. of Ed., 633 Spirit Drive, Chesterfield, MO 63005-1243
 14696096 +Nancy Murphy, 10814 S. Maplewood, Chicago, IL 60655-1213
 14713211 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14696098 +Paypal Credit, P.O. Box 105658, Atlanta, GA 30348-5658
 14719573 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 14696099 +Sears/CBNA, P.O. Box 6283, Sioux Falls, SD 57117-6283
 14696107 +Toyota Financial Services, 1111 W. 22nd St., Ste. 420, Oak Brook, IL 60523-1959
 14740351 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 14698173 +U S Dept of Education/MOHELA, 633 Spirit Drive, Chesterfield, Mo 63005-1243
 14696109 +US Bank/Great Lakes Higher Education, P.O. Box 7860, Madison, WI 53707-7860
 14696108 +United Collection Bureau Inc., 5620 Southwyck Blvd., Ste 206, Toledo, OH 43614-1501

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14707102 E-mail/Text: ally@ebn.phinsolutions.com Jun 21 2018 02:20:27 Ally Bank, PO Box 130424,
 Roseville MN 55113-0004
 14707074 E-mail/Text: ally@ebn.phinsolutions.com Jun 21 2018 02:20:27 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004
 14696073 +E-mail/Text: ally@ebn.phinsolutions.com Jun 21 2018 02:20:27 Ally Financial,
 P.O. Box 380901, Minneapolis, MN 55438-0901
 14696075 E-mail/PDF: AIS.coccard.ebn@americaninfosource.com Jun 21 2018 02:25:25 Capital One Bank,
 P.O. Box 5155, Norcross, GA 30091
 14696080 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 21 2018 02:20:52
 Comenity Bank/Victoria Secret, P.O. Box 182789, Columbus, OH 43218-2789
 14761261 +E-mail/Text: bncmail@w-legal.com Jun 21 2018 02:21:58 Comenity Capital Bank/Paypal Credit,
 c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
 14696081 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 21 2018 02:20:52 Comenity Capital/Petland,
 P.O. Box 182120, Columbus, OH 43218-2120
 14696083 +E-mail/Text: egssupportservices@alorica.com Jun 21 2018 02:21:59 EGS Financial Care, Inc.,
 4740 Baxter Road, Virginia Beach, VA 23462-4484
 14756140 +E-mail/Text: ISAC.Bankruptcy@illinois.gov Jun 21 2018 02:20:29
 Illinois Student Assistance Commission, 1755 Lake Cook Road, Deerfield, IL 60015-5209
 14696085 E-mail/Text: cio.bncmail@irs.gov Jun 21 2018 02:20:40 Internal Revenue Service,
 Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
 14696088 E-mail/Text: bnckohlsnotices@becket-lee.com Jun 21 2018 02:20:35 Kohls Capone,
 P.O. Box 3115, Milwaukee, WI 53201-3115
 14755568 E-mail/PDF: resurgentbknofications@resurgent.com Jun 21 2018 02:39:59
 LVNV Funding, LLC its successors and assigns as, assignee of LendingClub Corporation,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14754979 E-mail/PDF: resurgentbknofications@resurgent.com Jun 21 2018 02:26:06
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A.,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14754935 E-mail/PDF: resurgentbknofications@resurgent.com Jun 21 2018 02:26:05
 LVNV Funding, LLC its successors and assigns as, assignee of FFFM Carmel Holdings I, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14696089 +E-mail/Text: bk@lendingclub.com Jun 21 2018 02:22:13 Lending Club, 71 Stevenson Street,
 Suite 300, San Francisco, CA 94105-2985
 14696097 +E-mail/PDF: pa_dc_claims@navient.com Jun 21 2018 02:39:57 Navient, P.O. Box 9500,
 Wilkes Barre, PA 18773-9500
 14714978 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 21 2018 02:54:55
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 55

Date Rcvd: Jun 20, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14697105 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 21 2018 02:41:47
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14759861 E-mail/Text: bnc-quantum@quantum3group.com Jun 21 2018 02:21:00
Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14696101 E-mail/PDF: gecsed@recoverycorp.com Jun 21 2018 02:25:55 SYNCB/American Eagle,
P.O. Box 965005, Orlando, FL 32896-5005
14696100 E-mail/PDF: clerical@simmassociates.com Jun 21 2018 02:25:58 Simm Associates Inc.,
P.O. Box 7526, Newark, DE 19714-7526
14696102 E-mail/PDF: gecsed@recoverycorp.com Jun 21 2018 02:24:52 Synchrony Bank/Amazon,
Attn: Bankruptcy Dept., P.O. Box 965015, Orlando, FL 32896-5015
14696103 +E-mail/PDF: gecsed@recoverycorp.com Jun 21 2018 02:26:03 Synchrony Bank/American Eagle,
P.O. Box 965005, Orlando, FL 32896-5005
14696104 E-mail/PDF: gecsed@recoverycorp.com Jun 21 2018 02:26:03 Synchrony Bank/JC Penney,
P.O. Box 965007, Orlando, FL 32896-5007
14696105 E-mail/PDF: gecsed@recoverycorp.com Jun 21 2018 02:25:29 Synchrony Bank/Sams Club,
P.O. Box 960013, Orlando, FL 32896-0013
14696106 E-mail/PDF: gecsed@recoverycorp.com Jun 21 2018 02:26:03 Synchrony Bank/Walmart,
P.O. Box 965024, Orlando, FL 32896-5024
14696078 E-mail/Text: creditreconciliation@peoples.com Jun 21 2018 02:21:43 Citizens Bank,
1000 Lafayette Gill, Bridgeport, CT 06604

TOTAL: 27

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr LoanDepot.com, LLC
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14696087* +Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Ave,
Pittsburgh, PA 15222-4107
14696086* +Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Avenue,
Pittsburgh, PA 15222-4107
14696090* +Lending Club Corp., 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
14716013* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541)
TOTALS: 1, * 5, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 20, 2018 at the address(es) listed below:

Dai Rosenblum on behalf of Joint Debtor Jodi M. Murphy Jody@dairosenblumbankruptcy.com,
pjbz@zoominternet.net; Dai@dairosenblumbankruptcy.com; Michael@dairosenblumbankruptcy.com
Dai Rosenblum on behalf of Debtor Bernard F. Murphy Jody@dairosenblumbankruptcy.com,
pjbz@zoominternet.net; Dai@dairosenblumbankruptcy.com; Michael@dairosenblumbankruptcy.com
James Warmbrodt on behalf of Creditor LoanDepot.com, LLC bkggroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedwpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com; srk@sjwpgh.com

TOTAL: 6